

IN THE UNITED STATES DISTRICT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

FERNANDO M. SMITH,

Plaintiff,

V.

CIVIL ACTION NO.: 2:07-cv-00034

THE VANGUARD GROUP,

Defendant.

ORDER

On a former date, and upon the Plaintiff's Notice of Withdrawal of Plaintiff's Motion for Remand, all matter in the case file, and noting no objection from any adverse party, it is, the day and date first above entered, accordingly,

ORDERED, that the Plaintiff's Notice of Withdrawal of the Plaintiff's Motion for Remand is accepted and the Motion shall be withdrawn from this Honorable Court's consideration, and it is further,

ORDERED, that this matter remain on this Court's active docket and shall proceed normally.

September 28, 2007

Robert Ellanese

JUDGE